



City of Clayton
10 North Bemiston Avenue
Clayton, Missouri 63105
(314) 290-8453 FAX: (314) 863-0296

APPEAL TO THE BOARD OF ADJUSTMENT FOR AN AREA VARIANCE

(please type or print)

- **ALL APPLICABLE SECTIONS OF APPLICATION MUST BE COMPLETE.**
 - **APPLICATION MUST BE CONSISTENT WITH SUBMITTED MATERIALS.**
 - **14 SETS OF SIGNED & SEALED DRAWINGS, \$300 APPLICATION FEE & \$50 ADVERTISING FEE MUST ACCOMPANY THIS APPLICATION.**
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PART A: PARTIES IN INTEREST

The full legal name of each party listed below (partnership, corporation, etc.) is required for review of this application.

Name and Title of Applicant:_____

*Address, include e-mail address:*_____

*Phone Number:*_____

*Interest in Property:*_____

Name of Applicant's Agent - if different than above:_____

*Address, include e-mail address:*_____

*Phone Number:*_____

Name of Owner(s) - if different than above:_____

*Address, include e-mail address :*_____

*Phone Number:*_____

Name of Architect, Landscape Architect, Planner or Engineer:

*Name/Position:*_____

Address, *include e-mail address*: _____

Phone Number: _____

PART B: SITE DESCRIPTION

Legal Address of Property: _____ Current Zoning: _____

Lot Number: _____ Block Number: _____ Locator Number: _____

PART C: APPEAL TO THE BOARD OF ADJUSTMENT

TO THE HONORABLE BOARD OF ADJUSTMENT OF THE CITY OF CLAYTON, MISSOURI

The undersigned hereby appeals from the ruling of the Building Official or his/her designee, as to the erection of certain improvements on the property located at:

_____ and described as:

Lot _____, Block _____, Subdivision _____.

I requested a building permit or zoning review for the erection of the following improvements:

_____.

I received a notice from the Building Official or his/her designee, denying my request for a building permit or determining that my proposal does not comply with the Zoning Ordinance.

The specific violations are as follows:

1. _____
2. _____
3. _____
4. _____
5. _____

I now appeal that determination and request a variance to permit the erection of the above-described improvements. In support of my request, I state the following:

- 1) Size of the Lot: _____.
- 2) Shape of the Lot: _____.
- 3) Topography: _____.
- 4) Unique Physical Characteristics of the Lot (creek, steep slope, etc): _____
_____.
- 5) Current Use of the Property: _____
_____.
- 6) Description of the necessity of the proposed improvements: _____
_____.

Area Variances are a granting of relief from the requirements of the Zoning Ordinance to permit construction in a manner otherwise prohibited by the Zoning Ordinance, where specific enforcement would result in an extreme hardship or severe practical difficulty because of the shape of the lot, topography or other natural situation not the fault of the applicant.

In passing upon appeals, the Board of Adjustment is authorized to grant an area variance only upon the following findings. Please indicate whether your application meets the criteria for granting a variance.

- a) There are practical difficulties or unnecessary hardships associated with the strict application of the Zoning Ordinance, due to exceptional or unique circumstances or conditions such that strict application would deprive the owner of the reasonable use of the property. Can the property be used for what it is zoned for?

Yes_____NO_____

Why not: _____

- b) Granting the variance requested would observe the spirit of the Zoning Ordinance and secure public safety and welfare.

Yes___No___Please explain: _____

- c) The deviation from strict application of the Zoning Ordinance authorized by the area variance would not constitute a change in the district map, impair an adequate supply of light and air to adjacent property, increase congestion in public

streets, increase the danger of fire, materially diminish or impair established property values within the surrounding area, and would not in any other respect impair the public health, safety, comfort, morals and welfare of the City of Clayton.

Yes___No___Please explain: _____

If an appeal for an area variance is granted, the Board shall grant the minimum variance necessary to allow the applicant reasonable use of his or her land.

PART D: ALTERNATIVES

Other alternatives considered were as follows: (different improvements, different location on the lot, etc.)

For each alternative the reasons why such alternative was not selected are as follows:

a)	
b)	
c)	
d)	

PART E: ADDITIONAL CRITERIA

1) Description of the differences between the Subject Lot and the other lots in the neighborhood: _____
_____.

2) Description of the effect or impact on neighboring properties: _____

_____.

3) Statement of any other hardship or information necessary for this appeal:

_____.

FULL LEGAL NAME IS REQUIRED

Signature of Applicant (Required): _____ ***Date:*** _____
Title: _____

Relation to the Property Owner: _____

Signature of Property Owner (Required): _____ ***Date:*** _____
Title: _____

PART E: CHECK LIST

- _____ Fourteen (14) copies of a current boundary survey (signed and sealed) depicting (with dimensions) the lot size and all currently existing improvements
 - A boundary survey of the subject lot should be made and the property corners should be located and verified or reset. The improvements on the property should be located and any encroachments onto or from the subject property should be determined. The survey shall meet “Minimum Standards for Property Boundary Surveys.”
- _____ Fourteen (14) sets of a Site Plan based on the accurate and current boundary survey accurately depicting the lot size, existing improvements, and the proposed improvements.
- _____ Location map showing north arrow.
- _____ Scale for Site Plan shall be minimum of 1"=20'-0" (plan sheets 15 X 20 maximum)
- _____ Location and identification of all easements (existing and proposed).
- _____ The Site Plan should accurately depict all setback lines.
- _____ The Site Plan should accurately depict exact variance request with lines and dimensions as measured from the required setback lines and property lines.
- _____ Sketch elevation(s) depicting each façade, and the proposed improvements.
- _____ The seal, signed and dated, of the licensed person who prepared the drawing or under whose immediate personal supervision the drawing has been prepared.
- _____ Plans are to be folded to approximate 8 ½ x 11 or 8 ½ x 14 in size (print side out).
- _____ Other materials deemed appropriate by staff and/or the Board of Adjustment.